



United States Attorney
Southern District of New York

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July 7, 2009

BY HAND

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David A. Ruhnke, Esq.
Ruhnke & Barrett
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Re: United States v. Syed Hashmi
S1 06 Cr. 442 (LAP)

Dear Mr. Maher and Mr. Ruhnke:

As the undersigned previously indicated to you on May 15, 2009, the Government intends to call two expert witnesses at the trial of this matter - an expert on al Qaeda and al Muhajiroun, and an expert on the use of cell site information in England. Pursuant to Federal Rule of Criminal Procedure 16(a)(1)(G), the Government writes to provide further information with respect to these two anticipated expert witnesses.

First, the Government anticipates calling Evan Kohlmann as an expert with respect to al Qaeda and al Muhajiroun. Mr. Kohlmann's curriculum vitae is attached. Specifically, it is anticipated that Mr. Kohlmann will explain the genesis, history and structure of al Qaeda. He will further testify about: (i) how al Qaeda recruits and trains its members and associates; (ii) the different roles individuals play in al Qaeda; (iii) how sympathizers around the world assist al Qaeda; (iv) how al Qaeda finances itself and its terrorist operations; (v) how individuals provide support to terrorist organizations like al Qaeda; and (v) terrorist fundraising techniques. Mr. Kohlmann will also identify for the jury certain key leaders within al Qaeda, including but not limited to, Usama bin Laden and Abdul Hadi al Iraqi.

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In addition, Mr. Kohlmann will explain the genesis, history and structure of al Muhajiroun. He will further testify about: (i) how al Muhajiroun recruits and trains its members and associates; (ii) the different roles individuals play in al Muhajiroun; (iii) how al Muhajiroun finances itself; (iv) how individuals provide support to al Muhajiroun; and (v) al Muhajiroun's connection to al Qaeda. Mr. Kohlmann will also identify for the jury certain key leaders within al Muhajiroun, including, but not limited to, Omar Bakri and Anjem Choudary.

Finally, Mr. Kohlmann will also briefly testify about the terrorist organizations known as Hamas, Hezbollah and the Taliban. He will also testify about Omar Khyam, a/k/a "Ausman," and Khyam's support for jihad.

Second, the Government anticipates calling Joseph Hoy as a cell site expert. Mr. Hoy's curriculum vitae is enclosed. The Government anticipates that Mr. Hoy will testify about his analysis of the cell site records for the defendant's cell phone with phone number 07956950878. Specifically, it is anticipated that Mr. Hoy will explain how the cell site records for the defendant's cell phone show where the cell phone was located in January and February 2004 when certain phone calls were made.¹

Some of the bases for the opinions of the above-referenced experts in this matter include, but are not limited to, their education within their area of expertise, their professional experience, their prior experience as testifying and consulting expert witnesses in numerous trials, and their work alongside peers in their area of expertise.

¹ The Government respectfully reserves the right to elicit additional testimony from these expert witnesses depending upon the defenses presented at trial and/or other developments prior to or during trial.

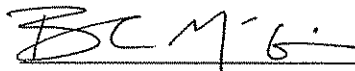
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Should you require further information about the anticipated expert testimony, please do not hesitate to contact the undersigned.

Very truly yours,

LEV L. DASSIN
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By:



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cc: Hon. Loretta A. Preska